

Notice of Allowability

Application No.

10/090,865

Examiner

Duc C. Ho

Applicant(s)

HINCHLEY ET AL.

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 03-04-02.
2. ☒ The allowed claim(s) is/are 1-9, 11-19, 21-28, 30-31. Renumbered 1-28, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 1-04-06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER 'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel R. McClure on 01-04-06.

The application has been amended as follows:

In the claims:

Claims 10, 20, 29, and 32 are canceled.

Claim 9, line 7, after "signals", insert ---, wherein the switching system comprises a plurality of switches ---.

Claim 11, line 1, "claim 10" has been changed to --- claim 9 ---.

Claim 17, line 3, delete "and".

Claim 17, line 4, after "inputs", delete ".", insert --- ; (next line)

(d) receiving a number of data select signals;

(e) choosing at least half of the received data select signals; and

(f) outputting the chosen data select signals. ---

Claim 21, line 1, "claim 20" has been changed to --- claim 17 ---.

Claim 22, line 1, "claim 20" has been changed to --- claim 17 ---.

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Claim 23, line 1, "claim 20" has been changed to --- claim 17 ---.

Claim 27, line 3, delete "and".

Claim 27, line 4, after "inputs", delete ".", insert --- ; (next line)

means for receiving a number of data select signals;

means for choosing at least half of the received data select signals; and

means for outputting the chosen data select signals. ---

Claim 30, line 1, "claim 29" has been changed to --- claim 27 ---.

Reason for Allowance

2. Regarding claims 1-8, the prior art fails to teach or suggest a switching system comprising a multiplexer (MUX) configured to receive at least two data input signals and one of the at least two select signals, the MUX further configured to generate a data output; a flip flop configured to receive the data valid signal and release the data valid signal in response to the rising edge of the clock signal; and a second flip flop configured to receive the data output and release the data output in response to the rising edge of the clock signal, in combination with other limitations, as specified in the independent claims 1, 2, 3, and 4.

Regarding claims 9, and 11-15, the prior art fails to teach or suggest a system comprising a switching system configured to receive the data select signals and the data inputs, the switching system further configured to produce a data valid signal in response to the received data select signals, the switching system further configured to generate a data output from the data inputs in response to the data select signals, in combination with other limitations, as specified in the independent claim 9.

Regarding claims 16, and 26, the prior art fails to teach or suggest a switching method comprising the step of choosing at least half of the received data inputs and at least half of the received data select signals, wherein the chosen number of data inputs and the chosen number of data select is the same, wherein the at least half of the received data inputs and at least half of the received data select is a power of 2, in combination with other limitations, as specified in the independent claim 16, and 26.

Regarding claims 17-19, 21-25, 27-28, and 30, the prior art fails to teach or suggest a method comprising the steps of receiving a number of data select signals, choosing at least half of the received data select signals, and outputting the chosen data select signals, in combination with other limitations, as specified in the independent claim 17, and 27.

Regarding claim 31, the prior art fails to teach or suggest a switch comprising means for receiving at least two select signals, means for generate a data valid signal from the at least two select signals, and means for generating a data output from the at least two data input signals in response to the one of the at least two select signals, in combination with other limitations, as specified in the independent claim 31.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

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If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner



Duc Ho

01-04-06